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**OFFICE OF PETITIONS**

In re Patent No. 6,776,977  
Shuang Liu  
Issue Date: August 17, 2004  
Application No. 10/033,770  
Filed: December 27, 2001  
Attorney Docket No. PH-7124

:  
: DECISION ON REQUEST FOR  
: RECONSIDERATION OF  
: PATENT TERM ADJUSTMENT  
: and  
: NOTICE OF INTENT TO  
: ISSUE CERTIFICATE OF  
: CORRECTION  
:

This is a decision on the "PETITION TO CORRECT PATENT TERM ADJUSTMENT PERIOD IN GRANTED PATENT," filed October 18, 2004. Patentee requests that the patent term adjustment indicated in the patent be corrected from two (2) days to thirty-eight (38) days.

The request for reconsideration of the patent term adjustment indicated in the patent is **GRANTED**.

The patent term adjustment indicated in the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of thirty-eight **(38)** days.

On August 17, 2004, the above-identified application matured into U.S. Patent No. 6,776,977. The instant request for reconsideration filed October 18, 2004 (certificate of mailing October 14, 2004) was timely filed within 2 months of the date the patent issued. See § 1.705(d). The Patent issued with a

revised Patent Term Adjustment of 2 days. Patentee disputes the reduction of 36 days due to "Workflow-Drawings finished" as there were no drawings in the case.

A review of the PALM calculations for this application reveals that the initial determination of PTA of 38 days was reduced by 36 days for applicant's submission of drawings after the mailing of the notice of allowance. See 37 CFR 1.704(c)(10). However, a review of the application record supports a conclusion that no drawings (or any other paper, aside from the instant petition) were filed in this application after the mailing of the notice of allowance. There were no drawings in this application.

In view thereof, the patent term adjustment indicated in the patent should have been thirty-eight **(38)** days.

The \$200.00 fee set forth in 37 CFR 1.18(e) has been charged to Deposit Account No. 19-3880, as authorized. No additional fees are required.

The fee under § 1.18(e) is required on petition under § 1.705(d) and will not be refunded. Nor will the fee be waived.

The application file is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify this error. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by THIRTY-EIGHT (38) days.

Telephone inquiries specific to this matter should be directed to Nancy Johnson, Senior Petitions Attorney, at (571) 272-3219.

*Karin Ferriter*  
*for*

Karin Ferriter  
Senior Legal Advisor  
Office of Patent Legal Administration  
Office of Deputy Commissioner  
for Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction